

Attorney Docket No.: 0160105
Application Serial No.: 10/600,930

REMARKS

In the *Advisory* Office Action of January 25, 2008, the Examiner has rejected claims 1, 2, 4-7, 9-12, 14 and 15. By the present amendment, applicant has amended claims 1-2, 6-7 and 11-12. After the present amendment, claims 1, 2, 4-7, 9-12, 14 and 15 remain pending in the present application. Reconsideration and allowance of outstanding claims 1, 2, 4-7, 9-12, 14 and 15 in view of the following remarks are requested.

A. Rejection of Claims 1, 2, 4-7, 9-12, 14 and 15

The Examiner has rejected claims 1, 6 and 11, under 35 USC § 103(a), as being unpatentable over U.S. Publication Number 2003/0128696 to Wengrovitz ("Wengrovitz") in view of Sengodan, et. al. (USPN 6,918,034) ("Sengodan").

By the present amendment, applicant has amended independent claims 1, 6 and 11 to further clarify the invention of claims 1, 6 and 11. For example, claim 1 has been amended to recite "said packet block manager further configured to create a remainder voice block having said block size and including remainder bytes of said encoded voice packet, wherein the packet block manager is further configured to employ a pre-determined technique for selecting additional bytes from said plurality of first voice blocks, and further configured to include said additional bytes selected from said plurality of first voice blocks in said remainder voice block following said remainder bytes in said remainder voice block." For the reasons that follow, applicant respectfully submits that the cited references fail to disclose, teach or suggest these limitations of claim 1, as amended.

Sengodan states that "padding bytes" could be arbitrarily chosen (see col. 8, lines 16-17)

Attorney Docket No.: 0160105
Application Serial No.: 10/600,930

("The p-1 padding byte 522 could be arbitrarily chosen"), and it does not disclose, teach or suggest "wherein the packet block manager is further configured to employ a pre-determined technique for selecting additional bytes from said plurality of first voice blocks, and further configured to include said additional bytes selected from said plurality of first voice blocks in said remainder voice block following said remainder bytes in said remainder voice block." This is a significant distinction as Sengodan fails to disclose, teach or suggest that a pre-determined technique is used for selecting additional bytes from the plurality of first voice blocks. In fact, Sengodan teaches away from the invention of claim 1, as amended, by stating that the additional bytes could be arbitrarily chosen and by totally ignoring the significance of the above limitations of claim 1, which recites using a pre-determined technique ... for selecting additional bytes from the plurality of first voice blocks. It is respectfully submitted that Sengodan does not disclose that "padding bytes" are obtained from data in other mini-packets or that a pre-determined technique is used for selecting the padding bytes.. In fact, Sengodan teaches away by stating that "The p-1 padding byte 522 could be arbitrarily chosen," see col. 8, lines 16-17.

Furthermore, claim 1 of the present application recites "a packet block manager configured to divide said encoded voice packet into a plurality of first voice blocks each having said block size." In other words, if the encoded voice packet is 100-byte long, and the block size is 16, each of the first voice blocks will received 16 bytes and there will be 6 such first voice blocks, i.e. 96 bytes of the encoded voice packet will be divided between 6 first voice blocks. In contrast, even assuming that Sengodan divides a larger packet to mini-packets (which is not the case), Sengodan clearly teaches that none of the mini-packets is filled to block size with data from the larger packet, as recited in claim 1 (divide said encoded voice packet into a plurality of

Attorney Docket No.: 0160105
Application Serial No.: 10/600,930

first voice blocks each having said block size.) To this end, the Examiner's attention is directed to col. 8, lines 2-21, of Sengodan, which reads:

First, a decision is made as to whether the mini-packet is encrypted 410. If the mini-packet is encrypted 420, padding is added. If the input (actual data) is of size "n" and the block size is "k", then the amount of padding "p" is given by:

$$p = n - k \cdot \text{floor}((n-1)/k) \quad |$$

It is seen that the number of padding bytes "p" varies from one to k. FIG. 5 illustrates a padded mini-packet 500 according to the present invention. In FIG. 5, the mini-packet 510 includes a data block 512. Padding of p-1 522 is added. Even for the case where the mini-packet size equals an integral multiple of the block size, k, padding equaling one block is added. In any case, the last padding byte 524 indicates the number of padding bytes. The p-1 padding bytes 522 could be arbitrarily chosen. The endpoints of the security association are aware of the encryption mechanism and parameters. The recipient after decrypting the mini-packet looks at the last byte 524 to determine the number of padding bytes 522 used.

As stated above, "It is seen that the number of padding bytes "p" varies from one to k. Therefore, Sengodan always pads the mini-packets (one to k), and does not disclose or teach that mini-packets are filled to block size with data from the larger packet, as recited in claim 1 (divide said encoded voice packet into a plurality of first voice blocks each having said block size.)

Applicant respectfully submits that at least for the reasons stated above, claim 1, as amended, is patentably distinguishable over Wengrovitz in view of Sengodan. Further, independent claims 6 and 11 have been amended to include limitations similar to those of claim 1, as amended, and should be allowed for the same reasons.

Further, applicant respectfully submits that claims 2, 4, 5, 7, 9, 10, 12, 14 and 15 depend from claims 1, 6 and 11, respectively, and should be allowed at least for the same reasons stated

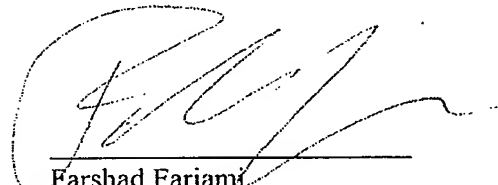
Attorney Docket No.: 0160105
Application Serial No.: 10/600,930

above in conjunction with patentability of claim 1.

B. Conclusion

For all the foregoing reasons, an early Notice of Allowance directed to claims 1, 2, 4-7, 9-12, 14 and 15 is respectfully requested.

Respectfully Submitted,
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